

AMENDED IN ASSEMBLY AUGUST 12, 2002

AMENDED IN ASSEMBLY JUNE 28, 2001

AMENDED IN SENATE MAY 1, 2001

AMENDED IN SENATE MARCH 27, 2001

SENATE BILL

No. 789

Introduced by Senator Oller

February 23, 2001

~~An act to amend Section 52052 of the Education Code, relating to the Academic Performance Index. An act relating to state government.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 789, as amended, Oller. ~~Academic Performance Index~~ *State government.*

This bill would declare the intent of the Legislature to provide adequate funding for the operation of state government.

Existing law requires the Superintendent of Public Instruction, with approval of the State Board of Education, to develop an Academic Performance Index (API), to measure the performance of schools, especially the performance of pupils, and to demonstrate comparable achievement in academic improvement by all numerically significant ethnic and socioeconomically disadvantaged subgroups within schools.

Existing law requires that, beginning in June 2000, the API be used to rank all public schools in the state for the purpose of the High Achieving/Improving Schools Program. Under existing law, only comprehensive high schools, middle schools, and elementary schools that have a population of 100 or more pupils may be included in the API ranking. Under existing law, the Superintendent of Public Instruction,

with the approval of the State Board of Education, is required to develop, by an alternative accountability system for schools with fewer than 100 pupils.

This bill would, for purposes of that API ranking, instead require that comprehensive high schools, middle schools, and elementary schools that have 11 to 99 valid test scores receive an API for the year 2000 and each year thereafter. The bill would require that schools that have 11 to 99 valid test scores be considered a subgroup for the purposes of similar school comparison and be given their own performance decile rankings, as specified. The bill would require that the API and subgroup decile rankings be used to determine eligibility for the Governor's Performance Award Program and for participation in the Immediate/Intervention Underperforming Schools Program.

The bill would require the Superintendent of Public Instruction, by February 1, 2002, to develop an alternative accountability system for schools that have fewer than 11 valid test scores.

Vote: majority. Appropriation: no. Fiscal committee: yes *no*. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1.—Section 52052 of the Education Code is~~
- 2 ~~SECTION 1. It is the intent of the Legislature to provide~~
- 3 ~~adequate funding for the operation of state government.~~
- 4 ~~amended to read:~~
- 5 ~~52052.—(a) (1) By July 1, 1999, the Superintendent of Public~~
- 6 ~~Instruction, with approval of the State Board of Education, shall~~
- 7 ~~develop an Academic Performance Index (API), to measure the~~
- 8 ~~performance of schools, especially the academic performance of~~
- 9 ~~pupils, and to demonstrate comparable improvement in academic~~
- 10 ~~achievement by all numerically significant ethnic and~~
- 11 ~~socioeconomically disadvantaged subgroups within schools.~~
- 12 ~~(2) For purposes of this section, a numerically significant~~
- 13 ~~ethnic or socioeconomically disadvantaged subgroup is a~~
- 14 ~~subgroup that constitutes at least 15 percent of a school's total~~
- 15 ~~pupil population and consists of at least 30 pupils. An ethnic or~~
- 16 ~~socioeconomically disadvantaged subgroup of at least 100 pupils~~
- 17 ~~constitutes a numerically significant subgroup, even if the~~
- 18 ~~subgroup does not constitute 15 percent of the total enrollment at~~
- 19 ~~a school.~~

1 ~~(3) The API shall consist of a variety of indicators currently~~
2 ~~reported to the State Department of Education including, but not~~
3 ~~limited to, the results of the achievement test administered~~
4 ~~pursuant to Section 60640, attendance rates for pupils and~~
5 ~~certificated school personnel for elementary schools, middle~~
6 ~~schools, and secondary schools, and the graduation rates for pupils~~
7 ~~in secondary schools.~~

8 ~~(A) The pupil data collected for the API that comes from the~~
9 ~~achievement test administered pursuant to Sections 60640 and~~
10 ~~60644 and the high school exit examination administered pursuant~~
11 ~~to Section 60851, when fully implemented, shall be disaggregated~~
12 ~~by special education status, English language learners,~~
13 ~~socioeconomic status, gender and ethnic group. Only the test~~
14 ~~scores of pupils who were enrolled in a school district in the prior~~
15 ~~fiscal year may be included in the test results reported in the API.~~
16 ~~Results of the achievement test and other tests specified in~~
17 ~~subdivision (b) shall constitute at least 60 percent of the value of~~
18 ~~the index.~~

19 ~~(B) Before including high school graduation rates and~~
20 ~~attendance rates in the index, the Superintendent of Public~~
21 ~~Instruction shall determine the extent to which the data is currently~~
22 ~~reported to the state and the accuracy of the data.~~

23 ~~(C) If the Superintendent of Public Instruction determines that~~
24 ~~accurate data for these indicators is not available, the~~
25 ~~Superintendent of Public Instruction shall report to the Governor~~
26 ~~and the Legislature by September 1, 1999, and recommend~~
27 ~~necessary action to implement an accurate reporting system.~~

28 ~~(b) Pupil scores from the following tests, when available and~~
29 ~~when found to be valid and reliable for this purpose, shall be~~
30 ~~incorporated into the API:~~

31 ~~(1) The assessment of the applied academic skills matrix test~~
32 ~~developed pursuant to Section 60604.~~

33 ~~(2) The nationally normed test as augmented pursuant to~~
34 ~~paragraph (1) of subdivision (f) of Section 60644.~~

35 ~~(3) The high school exit examination.~~

36 ~~(c) Based on the API, the Superintendent of Public Instruction~~
37 ~~shall develop, and the State Board of Education shall adopt,~~
38 ~~expected annual percentage growth targets for all schools based on~~
39 ~~their API baseline score as measured in July 1999. Schools are~~
40 ~~expected to meet these growth targets through effective allocation~~

~~1 of available resources. For schools below the statewide API
2 performance target adopted by the State Board of Education
3 pursuant to subdivision (d), the minimum annual percentage
4 growth target shall be 5 percent of the difference between a
5 school's actual API score and the statewide API performance
6 target, or one API point, whichever is greater. Schools at or above
7 the statewide API performance target shall have, as their growth
8 target, maintenance of their API score above the statewide API
9 performance target. However, the State Board of Education may
10 set differential growth targets based on grade level of instruction
11 and may set higher growth targets for the lowest performing
12 schools because they have the greatest room for improvement. To
13 meet its growth target, a school shall demonstrate that the annual
14 growth in its API is equal to or more than its schoolwide annual
15 percentage growth target and that all numerically-significant
16 ethnic and socioeconomically disadvantaged subgroups, as
17 defined in subdivision (a) of Section 52052, are making
18 comparable improvement.~~

~~19 (d) Upon adoption of state performance standards by the State
20 Board of Education, the Superintendent of Public Instruction shall
21 recommend, and the State Board of Education shall adopt, a
22 statewide API performance target that includes consideration of
23 performance standards and represents the proficiency level
24 required to meet the state performance target. When fully
25 developed, schools may either meet the state target or meet their
26 growth targets to be eligible for the Governor's Performance
27 Award Program as set forth in Section 52057.~~

~~28 (e) Beginning in June 2000, the API shall be used for both of
29 the following:~~

~~30 (1) Measuring the progress of schools selected for participation
31 in the Immediate Intervention/Underperforming Schools Program
32 pursuant to Section 52053.~~

~~33 (2) Ranking all public schools in the state for the purpose of the
34 High Achieving/Improving Schools Program pursuant to Section
35 52056.~~

~~36 (f) Comprehensive high schools, middle schools, and
37 elementary schools that have 11 to 99 valid test scores shall receive
38 an API for the year 2000 and every year thereafter. These schools
39 shall be considered a subgroup for the purposes of similar school
40 comparison and shall be given their own performance decile~~

rankings within this subgroup. The API and subgroup decile rankings shall be used for both of the following purposes:

(1) Eligibility for the Governor's Performance Award Program as set forth in Section 52057.

(2) Participation in the Immediate Intervention/Underperforming Schools Program as set forth in Section 52053. Eligibility for each of the two programs for schools with 11 to 99 valid test scores shall begin with the 2000-01 academic year and continue every year thereafter utilizing the same eligibility criteria applied to schools with 100 or more valid test scores.

(g) By February 1, 2002, the Superintendent of Public Instruction, with the approval of the State Board of Education, shall develop an alternative accountability system for schools with fewer than 11 valid test scores, and for schools under the jurisdiction of a county board of education or a county superintendent of schools, community day schools, and alternative schools serving high-risk pupils, including continuation high schools and opportunity schools.